



# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

Application Number	09/667,694
Filing Date	September 22, 2000
First Named Inventor	Richard Nacht
Art Unit	3624
Examiner Name	Lalita Hamilton
Attorney Docket No.	57797.000002

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-captioned application. Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114 (Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (including Form PTO-SB/08A and References)
- iv. ☒ Other: Petition for Extension of Time (3 - Months)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-captioned application is requested under 37 CFR. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed three months; Fee under 37 CFR 1.17(i) required.)
- b. ☐ Other: \_\_\_\_\_

## 3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Fees are calculated as follows:
- |  | AMOUNT    | <input checked="" type="checkbox"/> Large Entity   | <input type="checkbox"/> Small Entity             |
|--|-----------|--|---|
| i. <input checked="" type="checkbox"/> RCE BASIC FEE   | \$ 395.00 | \$ 790.00  | \$ 395.00   |
| ii. <input checked="" type="checkbox"/> EXTENSION FEES | \$ 510.00 | One-Month \$ 120.00<br>Two-Month 450.00<br>Three-Month 1020.00<br>Four-Month 1590.00<br>Five-Month 2160.00 | \$ 60.00<br>225.00<br>510.00<br>795.00<br>1080.00 |
| iii. <input type="checkbox"/> OTHER - PETITION FEE     | \$        | \$ 0.00  | \$ 0.00   |
- b. ☒ Check in the amount of \$ 510.00 is enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 50-0206.
- c. ☒ The Commissioner is hereby authorized to charge \$ 395.00 the fees (RCE Filing Fee) as indicated above, or credit any overpayments, to Deposit Account No. 50-0206.

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Signature	Daniel G. Vivarelli Jr. Reg. No. 57137	Date	Sept 28, 2005
Typed or Printed Name	Ozzie A. Farres	Registration No.	43,606

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# **FREE TRANSMITTAL**

For FY 2005

MAIL STOP AF

Complete If Known

Application No. 09/667,694  
 Filing Date September 22, 2000  
 First Named Inventor Richard Nacht  
 Examiner Name Lalita Hamilton  
 Art Unit 3624  
 Attorney Docket No. 57797.000002

☒ Applicant claims small entity status. See 37 CFR 1.27
Total Amount Of Payment (\$)**905.00**

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number **50-0206** Deposit Account Name: **Hunton & Williams LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below. ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments.

## **FEE CALCULATION**

### **1. BASIC FILING, SEARCH AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee(\$)	Small Entity Fee (\$)	Fee(\$)	Small Entity Fee (\$)	Fee(\$)	Small Entity Fee (\$)	
Utility	300.00	150.00	500.00	250.00	200.00	100.00	
Design	200.00	100.00	100.00	50.00	130.00	65.00	
Plant	200.00	100.00	300.00	150.00	160.00	80.00	
Reissue	300.00	150.00	500.00	250.00	600.00	300.00	
Provisional	200.00	100.00	0.00	0.00	0.00	0.00	

### **2. EXCESS CLAIMS FEES**

For	Number Present	Highest Number Paid For	Extra	Fees (\$)	Small Entity Fee (\$)	Fees Paid (\$)
Total Claims		20	0 x	50.00	25.00	
Independent Claims		3	0 x	200.00	100.00	
Multiple Dependent Claim				360.00	180.00	
Total Excess Claims Fees						

### **3. APPLICATION SIZE FEE** (if the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	No. of Each Additional 50 or Fraction Thereof	Fees (\$)	Small Entity Fee (\$)	Fees Paid (\$)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number) x	250.00	125.00	

### **4. OTHER FEE(S)**

- |   |        |   |
|---|--------|---|
| <input type="checkbox"/> Non-English Specification (no small entity discount)   | 130.00 | <input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary) |
| <input type="checkbox"/> Surcharge - late filing fee or oath                    |        | <input type="checkbox"/> Design Issue Fee   |
| <input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet |        | <input type="checkbox"/> Plant Issue Fee  |
| <input checked="" type="checkbox"/> <u>Three</u> Month Extension of Time        | 510.00 | <input type="checkbox"/> Petition to Commissioner   |
| <input type="checkbox"/> Submission of Information Disclosure Statement         |        | <input type="checkbox"/> Petition to Revive (Unavoidable)   |
| <input type="checkbox"/> Notice of Appeal                                       |        | <input type="checkbox"/> Petition to Revive (Unintentional)                                       |
| <input type="checkbox"/> Request for Oral Hearing                               |        | <input type="checkbox"/> Petitions Related to Provisional Applications                            |
| <input type="checkbox"/> Filing Brief in Support of Appeal                      |        | <input type="checkbox"/> Recording Each Patent Assignment Per Property                            |
| <input type="checkbox"/> Filing Submission After Final Rejection                |        | <input checked="" type="checkbox"/> Other (specify) <u>RCE</u>                                    |

395.00

### **SUBMITTED BY**

Signature

*[Signature]*  
 David G. Vignelli, Jr.  
 Reg No 51137

Registration No.

43,606

Telephone

202.955.1923

Typed or Printed Name Ozzie A. Farres

Date

Sept. 28, 2005